



09-15-03 mag

RCE\$

**REQUEST FOR
CONTINUED EXAMINATION (RCE)
TRANSMITTAL**

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000 provides for continued examination of a utility or plant application filed on or after June 8, 1995.
See The American Inventors Protection Act of 1999 (AIPA)

| |
|---|
| Application Number: 09/724,755 |
| Filing Date: November 28, 2000 |
| First Named Inventor: H. Michael WENZ |
| Group Art Unit: 1637 |
| Examiner: J. Fredman |
| Attorney Docket Number: 7414.0020-03000 |
| Attorney Customer Number: 22,852 |

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

Note: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53(d) instead of a RCE to be eligible for patent term adjustment provisions of the AIPA. See "Changes to Application Examination and Provisional Application Practice," Interim Rule, 65 Fed. Reg. 14865 (March 20, 2000). Off. Gaz. Pat. Office 47 (April 11, 2000), which established RCE practice.

1. Submission required under 37 C.F.R. § 1.114:

a. ☒ Previously submitted

i. ☒ Consider the amendment(s)/reply after final under 37 C.F.R. § 1.116 previously filed on December 11, 2002.

ii. ☐ Consider the arguments in the Appeal Brief of Reply Brief previously filed on _____.

iii. ☐ Other _____

b. ☒ Enclosed:

i. ☒ Amendment

ii. ☐ Affidavit(s)/Declaration(s)

iii. ☐ Information Disclosure Statement

iv. ☐ Other _____

2. Miscellaneous

a. ☐ Suspension of action on the above-mentioned application is requested under 37 C.F.R. § 1.103(c) for a period of ____ months. (Period of suspension shall not exceed 3 months; fee under 37 C.F.R. § 1.17(i) required.)

b. ☐ Other _____

3. Fees

a. ☒ The filing fee is calculated as follows:

i. ☒ \$750.00 RCE fee required under 37 C.F.R. § 1.17(e)

ii. ☒ Petition for Four Month Extension of Time \$1,450.00

iii. ☐ Other _____

b. ☒ Check in the amount of \$2,200.00 enclosed.

c. ☒ The Commissioner is authorized to charge any deficiencies in the filing fees, or credit any overpayments to Deposit Account No. 06-0916.

| Signature of Applicant, Attorney, or Agent Required | |
|---|--------------------------|
| Name: M. Paul Barker | Reg. No.: 32, 013 |
| Signature: <i>M. Paul Barker</i> | Date: September 11, 2003 |

| CERTIFICATE UNDER 37 CFR § 1.10 OF MAILING BY "EXPRESS MAIL" | |
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| I hereby certify that this correspondence is being deposited with the United States Postal Services "Express Mail Post Office to Addressee" service under 37 CFR § 1.10 on the date indicated above and is addressed to Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450. | |
| Name: Sarah Barnett | Express Mail Label No.: EV 351294576 US |
| Signature: <i>Sarah Barnett</i> | Date: September 11, 2003 |

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September 11, 2003

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By:


Sarah Barnett

PATENT

Customer No. 22,852

Attorney Docket No. 07414.0020-03000

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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|-----------------------------|---|----------------------|
| In re Application of: |) | |
| |) | |
| H. Michael WENZ |) | Group Art Unit: 1637 |
| |) | |
| Application No.: 09/724,755 |) | Examiner: J. Fredman |
| |) | |
| Filed: November 28, 2000 |) | |
| |) | |
| For: METHODS FOR DETECTING |) | |
| TARGET NUCLEIC ACIDS USING |) | |
| COUPLED LIGATION AND |) | |
| AMPLIFICATION |) | |

Mail Stop RCE

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

AMENDMENT

Applicant now responds further to the Final Office Action mailed September 11, 2002, (September Final Action) and the Advisory Action mailed January 10, 2003 (Advisory Action). Applicant filed an Amendment After Final on December 11, 2002. A Notice of Appeal and a Petition for Extension of Time (three months) was filed on March 11, 2003. The period for filing an appeal brief has been extended four months by the Petition for Four Month Extension of Time and fee payment filed concurrently herewith. Applicant requests reconsideration and withdrawal of all outstanding rejections. Please enter the following amendments:

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